

06/05/01  
J1060 U.S. PTO

09875065, 060501

06-07-01

Please type a plus sign (+) in this box ☐

PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 31027-pa  
First Inventor Robert F. Scales  
Title A Microwave Moisture . . .  
Express Mail Label No. EL320964276US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 74]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 33]

5. Oath or Declaration [Total Pages 4]

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney]  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure [Copies of IDS]  
Statement (IDS)/PTO-1449 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☒ Other: Letter to the Draftsman  
and formal drawing figures

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

Prior application Information:

Examiner Wilson, P

of prior application No. 09, 086, 756

Group Art Unit: 3749

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name Bernhard Kreten

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State

Calif.

Zip Code

95825

Country

U.S.A.

Telephone

916-921-6181

Fax

916-921-9213

Name (Print/Type) Bernhard Kreten

Registration No. (Attorney/Agent) 27,037

Signature

Date

6/05/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

J1002 U.S. PTO  
09/875065  
06/05/01

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**FEE TRANSMITTAL**  
**for FY 2001**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	
Filing Date	6/05/01
First Named Inventor	Robert F. Scalese
Examiner Name	
Group Art Unit	
Attorney Docket No.	31027-pa

**TOTAL AMOUNT OF PAYMENT** (\$ 1,698.00**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	11-1734
Deposit Account Name	Bernhard Kreten

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- 
- ☐
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check    ☐ Credit card    ☐ Money Order    ☐ Other
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

**SUBTOTAL (1)** (\$ 710.00**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
26	20** = 6	18	108
14	3** = 11	80	880
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ 988.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 0.00**SUBMITTED BY**Name (Print/Type) **Bernhard Kreten**Registration No. (Attorney/Agent) **27,037****Complete (if applicable)**Telephone **(916) 921-6181**

Signature

Date **6/05/01****WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10**

**Applicant:** Robert F. Scalese, Thomas B. Taylor, Tim Holzschuh, Douglas E. Harbert, Thomas G. Plaven, Martin L. Maple, and Jan Claesson

**For:** A Microwave Moisture Analyzer: Apparatus and Method

**Paper:**

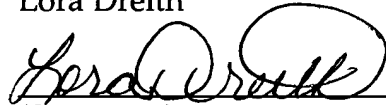
1. Patent Application (Utility) (comprised of pages 1 through 74 - copy from prior application);
2. Utility Patent Application Transmittal;
3. Fee Transmittal (original and one copy);
4. Declaration for Patent Application - as originally filed with the application papers and dated 5/14/98 (copy from prior application);
5. Declaration for Patent Application - filed in response to a Notice to File Missing Parts of Application and dated 8/7/98 (copy from prior application);
6. Thirty-three (33) sheets of drawing figures (comprised of figures 1 through 30 - copy from prior application);
7. Preliminary Amendment;
8. Red-line version of Specification (37 CFR § 1.121 - pages 2, 3, 4, 7, 8, 21, 23, 30, 32, 34 - 38, 63 and 74);
9. Substitute Specification (37 CFR 1.121 - pages 2-61 and 71);
10. Letter to the Draftsman;
11. Thirty-five (35) sheets of formal drawing figures (comprised of figures 1 through 30);
12. A check in the amount of \$1,698.00, \$710.00 of which is to cover the government filing fee for utility patent application; \$108.00 of which is to cover the government fee for six claims in excess of twenty; and \$880.00 of which is to cover the government fee for eleven independent claims in excess of three.

I hereby certify that the above identified correspondence, which is attached, is being deposited with the **United States Postal Service, Express Mail, with sufficient postage, Post Office to Addressee, mailing label #EL320964276US**, in an envelope addressed to:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

on June 5, 2001.

Lora Dreith

  
(Signature)

June 5, 2001

(Date of Signature)

09875065-060501

UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICANT:** Robert F. Scalese, Thomas B. Taylor, Tim Holzschuh, Douglas E. Harbert, Thomas G. Plaven, Martin L. Maple, and Jan Claesson

**FOR:** A Microwave Moisture Analyzer: Apparatus and Method

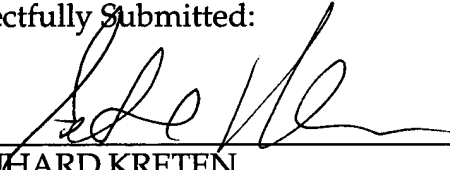
**To:** Commissioner of Patents and Trademarks  
Washington, DC 20231

**LETTER TO THE DRAFTSMAN**

Subject to the Examiner's approval, kindly enter the enclosed thirty-five (35) sheets of formal drawing figures (comprised of figures 1 through 30) in place of the drawing figures as originally filed in the above-identified case on June 5, 2001.

Dated: June 5, 2001

Respectfully Submitted:

  
BERNHARD KRETEN  
Applicant's Attorney  
Telephone (916) 921-6181  
Registration No.: 27,037

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